

out in the State of Nebraska. Because of lack of funds, we eventually withdrew the department's responsibility role in the enforcement of this program. Through the years we have tried to maintain a program with the use of the counties and continuing a program that will control the noxious weeds that we have in the State of Nebraska. LB 49, introduced by Senator "Cap" Dierks, expands upon that and returns the enforcement powers back to the Department of Agriculture. The committee amendments are rather extensive and would take me a great deal of time to try and explain each of them, so I would suggest that those that are interested in this subject would turn to their bill book and look at their committee statement. You might be able to follow some of the statements I'm about to make about the committee amendments. Specifically, the highlights of LB 49, as they are amended by the committee, maintain the historical line of responsibility for noxious weeds in the state. As always, the landowner has the first responsibility in controlling noxious weeds on his or her property. Then it goes to the county noxious weed control authority. Under this bill then the Department of Agriculture would be involved through a monitoring process and, finally, the Attorney General would be used through legal action, if necessary. This bill takes the noxious weeds out of the statute and puts them under rule and reg. That is to say that, currently, under our statutes there are four specific noxious weeds that are highlighted in the statutes. It seemed more appropriate to allow the Department of Agriculture, through the development of their rules and regs, to highlight which weeds in the State of Nebraska might be noxious and that way if we wanted to add or delete the number of weeds that might be noxious in the state, that would just take a change in the rules and regs rather than a change in our state statutes.

SPEAKER BARRETT: Excuse me, Senator Johnson. (Cavel.) Go ahead.

SENATOR R. JOHNSON: Thank you. The amendments also retain the power of the counties to petition for additional weeds to be added onto a list for enforcement by the county. It also divides the enforcement between the county authorities and the director. It specifies the duties of each in statute, specifically it lists 11 duties of the Department of Agriculture director. It also specifies list...or lists duties of the county authorities and the weed superintendents. As always, the weed superintendents must be EPA certified under FIFRA and do 20 hours of continuing education annually. That is current